

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CIVIL MINUTES**

**Date: November 22, 2010** (Time: 5 hour 41 minutes)

**JUDGE: Phyllis J. Hamilton**

**Case No: C-07-1658 PJH**

**Case Name: Oracle Corporation, et al. v. SAP AG, et al.**

**Attorney(s) for Plaintiff: Geoffrey Howard; Donn Pickett; Zachary Alinder;  
Steven Holtzman; Holly House; David Boies**

**Attorney(s) for Defendant: Tharan Gregory Lanier; Jacqueline Lee;  
Robert Mittelstaedt**

**Deputy Clerk: Nichole Heuerman**

**Court Reporter: Raynee Mercado and  
Diane Skillman**

**PROCEEDINGS**

Jury Trial (closing arguments)-Held. See attached exhibit and witness list.

**CASE CONTINUED TO:** November 23, 2010 at 8:30 a.m. for Jury Deliberations.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No: **C-07-1658 PJH**Case Name: **Oracle USA, et al. v. SAP AG, et al.****EXHIBIT and WITNESS LIST**

JUDGE Phyllis J. Hamilton					PLAINTIFF ATTORNEY: Geoffrey Howard; Donn Pickett; Zachary Alinder; Steven Holtzman; Holly House; David Boies		DEFENSE ATTORNEY: Tharan Gregory Lanier; Jacqueline Lee; Robert Mittelstaedt	
JURY SELECTION: 11/1/10 TRIAL DATE:					REPORTER(S): <u>Raynee Mercado and Diane Skillman</u>		CLERK: Nichole Heuerman	
PLF NO.	DEF NO	DATE/TIME OFFERED	ID	EVI. REC	DESCRIPTION	BY		
					<b><u>Monday November 22, 2010</u></b>			
		<u>8:22 a.m.</u>			<u>the court is back in session out of the presence of the jury; the court makes final ruling regarding jury instructions and special verdict form; the court hears argument and makes ruling regarding closing argument demonstrative slides</u>			
		<u>8:38 a.m.</u>			<u>the court takes a break to allow the parties to make changes to closing argument demonstrative slides</u>			
		<u>8:49 a.m.</u>			<u>the court is back in session; the jury is present; closing arguments by plaintiffs;</u>			
		<u>10:37 a.m.</u>			<u>the court takes a break</u>			
		<u>10:56 a.m.</u>			<u>the court is back in session; closing arguments by defendants'</u>			
		<u>12:37 p.m.</u>			<u>the court takes a break</u>			
		<u>12:53 p.m.</u>			<u>the court is back in session; rebuttal closing by plaintiffs'</u>			
		<u>1:57 p.m.</u>			<u>the court reads jury instructions to the jurors</u>			
		<u>2:20 p.m.</u>			<u>the jury begins deliberations</u>			
		<u>4:55 p.m.</u>			<u>the court discusses jury note #1</u>			
		<u>5:00 p.m.</u>			<u>the jury is brought in and released for the day</u>			
		<u>5:01 p.m.</u>			<u>plaintiffs' exhibit 432 inadvertently marked by counsel and admitted into evidence, should be defendants' A-432</u>			
		<u>5:02 p.m.</u>			<u>defendants' read demonstrative exhibits into the record</u>			
		<u>5:05 p.m.</u>			<u>court is adjourned for the day</u>			